

## **REMARKS**

Applicant is in receipt of the Office Action mailed April 20, 2005.

Claim status is:

Claims 1-40 and 42-81 were pending in the application prior to entry of the present amendment.

Claims 1, 4-5, 8, 10, 12, and 19 are herein amended.

Claims 1-40 and 42-81 are now pending.

### **Rejections Under Section 112**

Claims 1, 4-5, 8, 10-13, and 19 were rejected under section 112, because “the instrument server” has insufficient antecedent basis. Claims 1, 4-5, 8, 10, and 19 are amended to replace “the instrument server” with “the second device”.

### **Art Rejections**

Claims 1-11, 13, 15-40, and 42-81 were rejected under 35 U.S.C. §103(a) as being unpatentable over Petite et al. (USPN 6437692; hereinafter referred to simply as Petite) in view of Applicants Admitted Prior Art (hereinafter “AAPA”).

Claims 12 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Petite in view of Reimer (USPN 6484088)

Claim 1 recites:

A method comprising:

a first device coupled to a network sending a request to a second device coupled to the network to access a traditional instrument, wherein the traditional instrument is coupled to the second device via an instrumentation bus, and wherein the traditional instrument does not include inherent Internet capabilities;

the second device receiving an instrument driver downloaded directly from the network which is usable by the second device to communicate with the traditional instrument;

the second device receiving the request to access the traditional instrument;

the second device accessing the traditional instrument via the instrumentation bus in response to said request to access the traditional instrument;

the traditional instrument sending instrument data to the second device via the instrumentation bus in response to the second device accessing the traditional instrument;

the second device receiving the instrument data sent from the traditional instrument via the instrumentation bus; and

the second device sending the instrument data to the first device via the network.

Applicant respectfully submits that Petite nowhere teaches or suggests that “the traditional instrument is coupled to the second device via an instrumentation bus”.

Applicant also respectfully submits that Petite nowhere teaches or suggests “the second device receiving an instrument driver downloaded directly from the network which is usable by the second device to communicate with the traditional instrument” as currently recited by claim 1. In addition, Applicants Admitted Prior Art has no reference to “receiving an instrument driver downloaded directly from the network”.

Thus, claim 1 is patentably distinguished over Petite and Applicants Admitted Prior Art for at least the reasons presented above. Therefore, Applicant respectfully submits that claim 1 and its dependent claims are allowable.

Furthermore, independent claims 23, 33, 38, 45, 52, 56, 65, 68, 70, and 74, and their dependent claims are patentably distinguished over Petite and Applicants Admitted Prior Art for at least one or more of the reasons presented above in support of claim 1. Therefore, Applicant respectfully submits that claims 23, 33, 38, 45, 52, 56, 65, 68, 70, and 74, and their dependent claims are also allowable.

## CONCLUSION

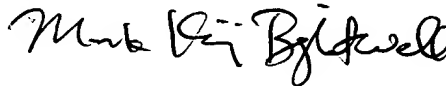
Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5150-46100/JCH.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

Respectfully submitted,



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AGENT FOR APPLICANT(S)

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